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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/787,408

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Tetsuro Wada

103203-00010

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4372 7590 06/01/2007  
ARENT FOX PLLC  
1050 CONNECTICUT AVENUE, N.W.  
SUITE 400  
WASHINGTON, DC 20036

EXAMINER

HOFFMANN, JOHN M

ART UNIT

PAPER NUMBER

1731

MAIL DATE

DELIVERY MODE

06/01/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**UNITED STATES DEPARTMENT OF COMMERCE****U.S. Patent and Trademark Office**

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10787408	2/27/04	WADA ET AL.	103203-00010

ARENT FOX PLLC  
1050 CONNECTICUT AVENUE, N.W.  
SUITE 400  
WASHINGTON, DC 20036

**EXAMINER**

John Hoffmann

ART UNIT	PAPER
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20070529

DATE MAILED:

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**Commissioner for Patents**

The reply filed on 4/9/2007 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): The amendment filed on 4/9/2007 canceling all claims drawn to the elected invention and presenting only claims drawn to a non-elected invention is non-responsive (MPEP § 821.03). The remaining claims are not readable on the elected invention because new claims 4 are directed solely to the method, but previously presented, searched and examined claims 1-3 were directed to the apparatus. See the restriction requirement of parent 09/778,107 which points out how the inventions are independent or distinct. See also page 2 of the 5/26/2005 response in the present application which indicates claims 1-3 are directed to the apparatus claims of the parent. To search and examine this non-elected invention of claims 4-7 would place a serious burden on the Office.

Because these inventions are independent or distinct for the reasons given above and there would be a serious burden on the examiner if restriction is not required because the inventions have acquired a separate status in the art in view of their different classification, restriction for examination purposes as indicated is proper.

Since the above-mentioned amendment appears to be a bona fide attempt to reply, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD UNDER 37 CFR 1.136(a) ARE AVAILABLE.

John Hoffmann  
Primary Examiner  
Art Unit: 1731

5-29-07